

REMARKS

Reconsideration of the rejections set forth in the Office Action mailed December 18, 2003, is respectfully requested. Claim 1 has been amended. Claims 1-12, 19, 26, 47, 54, and 57 remain pending in this case. Support for this amendment can be found in the specification at, e.g., page 1, lines 7-15, page 3, line 19 – page 4, line 6; page 5, line 13 – page 6, line 4; page 18, line 16 – page 19, line 4; and Fig. 6B. Therefore, these amendments are made without introducing new matter.

Art Rejections

Claims 1, 3, 6-8, and 11 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Parodi (USP 6,423,032) in view of St. Germain et al. (2003/0097036). Claims 1, 3, 6-8, and 11 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Boyle et al. (USP 6,582,448) in view of St. Germain et al. Applicant has amended claim 1 to specify that “*flow in the right common carotid artery is reversed to pass into the subclavian artery.*” Both Parodi and Boyle disclose occluding the branched vessel. Therefore, there would be no flow reversal as required by the claim as amended. For example, Parodi discloses that “[o]cclusion of the ECA prevents the development of reverse flow in the ECA from causing antegrade flow in the ICA.” (para. 0060) Similarly, Boyle et al. discloses “wherein the interventional procedure site 14 is located in the second branch vessel 50, for example, the occluding device 38 is positioned in the first branch vessel 48 at a location relative to the interventional procedure site 14, and expanded to prevent and block blood from flowing through the first branch vessel 48.” (emphasis added, Col 7, lines 58-63)

Therefore, applicants respectfully request withdrawal of the rejection and reconsideration of the claims as amended.

Applicants respectfully assert the claims are now in condition for allowance. Prompt and favorable action on the merits of the claims is therefore earnestly solicited. If any minor issues remain, please contact Applicants' undersigned representative at (949) 737-2900. The Commissioner is hereby authorized to charge any fees that may be required in connection with the filing of this document to Deposit Account No. 50-2862.

Respectfully submitted,
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